

BINGHAM McCUTCHEN

Facsimile

DATE February 27, 2003

	NAME	FAX	PHONE
TO	Attn: Examiner Stephanie W. Zitomer Group Art Unit 1634	(703) 308-4242	

FROM David W. Maker (650) 849-4800 (650) 849-4908
david.maher@bingham.com

PAGES (INCLUDING THIS COVER PAGE):4

Application Serial No. 09/715,764

RE Notice of Appeal and Petition for a Three Month Extension of Time

Bingham McCutchen LLP
1900 University Avenue
East Palo Alto, CA
94303-2223

650.849.4400
650.849.4800 fax

bingham.com

Boston
Hartford
London
Los Angeles
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Docket No. 13761-0739

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Stephanie W. Zitomer at Facsimile No. (703) 308-4242 at _____ a.m./p.m.

Dated: February 27, 2003

Name of Person Certifying: *Peggy Nichols*
Printed Name: Peggy Nichols**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Heinz-Josef Lenz, et al.

Assignee: University of Southern California

Filing Date: November 15, 2000

Examiner: Stephanie W. Zitomer
Group Art Unit: 1634

Serial No.: 09/715,764

Title: GENOMIC POLYMORPHISM FOR PREDICTING THERAPEUTIC RESPONSE

Attn: Box AF
Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL AND PETITION FOR A THREE MONTH EXTENSION OF TIME

Sir:

A Final Office Action was issued by the U. S. Patent and Trademark Office on August 27, 2002 in connection with the above-identified application. A response to this final action was due January 27, 2003. Enclosed is a Petition For A Three Month Extension of Time, and our authorization to pay the fee due. In view of the filing of this Petition, the subject application is pending today.

Applicants hereby appeal to the Board of Appeals from the decision dated August 27, 2002 of the Examiner rejecting claims 47-60. The items checked below are appropriate.

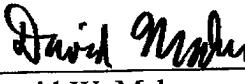
- Appeal Fee:
 - Large Entity Fee of \$320.00; or
 - Small Entity Fee of \$160.00.
- Applicant(s) claim Small Entity Status under 37 CFR § 1.27.
- Petition for Extension of Time (3 mos.)
- Petition for Extension of Time Fee \$465.00

Docket No. 13761-0739 **Payment of Fees**

- Please charge Deposit Account No. 50-2518 referencing billing number 2013761-2137610739 in the amount of \$625.00 to cover the above-fees.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2518.

DATE: February 27, 2003

Respectfully submitted,

By: 

David W. Maher
Registration No.: 40,077

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Telephone: (415) 393-2000
Telefax: (415) 393-2286